IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 8871 of 2001

Between:

1 Ch. Rakesh Goud, S/o Ramnatham Goud,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.
2 J. Srinivas Rao, S/o Rajeshwar Rao,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.
3 A. Ravinder, S/o Chinna Rajaiah, C/o Sri S. Ramesh, Advocate,

Nallakunta, Hyderabad.
4 D. Srinivas, S/o Chanramouli,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.
5 A. Venkata Swamy, S/o A. Rajam,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.
6 T. Srinivasa Rao, S/o Krishna,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.
7 B. Vishwanath, S/o Ravindra Babu,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.
8 V. Srider Rao, S/o Narsinga Rao,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.
9 R. Suraj, S/o Jagannath Rao,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.
10 P. Kavith, D/o Subba Rao,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.
11 K. Sarith, D/o Jalapathaiah,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.
12 D.Vijaya Barathi, D/o Rajendra,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.
13 D. Nagamani, D/o Venkateshwarlu,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.
14 Y. Rajani, D/o Venkat Ramana,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.
15 A.M. Anan Raju, S/o A.M. Moses,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.
16 V. Srinivas Reddy, S/o Janga Reddy,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.
17 E. Srinivasa Rao, S/o Chionnaguravavaiah,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.

18 Dr. Hariprasad, S/o Narsiha Rao,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.
19 Upendra Sharma, S/o Rama Sharma,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.
20 R.M. Indu Manohar, S/o R. Manohar,
C/o Sri S. Ramesh, Advocate, Nallakunta, Hyderabad.
21 M. Srinivas, S/o Narahri,
C/o Sri S. Ramesh, Advocate, Nallakunta,
Hyderabad.

... PETITIONERS

AND

1 The State of Andra Pradesh, Rep. by the Secretary Education

(SETRG.I) Department, Secretariat, Hyderabad.
2 Institute of Advanced Study in Education, Rep. by its Principal,
Masab Tank, Near NMDC, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or orders more particularly one in the nature of Writ of Mandamus declaring the G.O. Ms.No.149 Education (SETRG-I) Department dated 8.11.2000 in so far as it retrospectively enhance the tuition fee and special fee for B. Ed course offered in Government College of Education/University College of Education, as arbitrary, illegal, ultravires and violative of the Article 14 of the Constitution of India and consequently declare that the Student of the 2nd respondent college are not liable to pay the enhanced fee notified in G.O.Ms.No.149 Education (SETRG-I) Department dated 8.11.200.

Counsel for the Petitioners: MR.K.LAKSHMAN

Counsel for the Respondents: GP FOR HIGHER EDUCATION

The Court made the following:

ORDER:

This writ petition is filed seeking Mandamus declaring

G.O. Ms. No. 149 Education (SETRG-I) Department dated 08-11-2000 in so far as it restrospectively enhanced the tuition fee and special fee for B.Ed., course offered in Government Colleges, as arbitrary and illegal.

2. When the matter was taken up for hearing, none appears for the petitioners. Learned Government Pleader for School Education produced a copy of Memo No.5141/Trg.I/2001-1 dated 17-04-2001, before this Court, wherein the Government after examination of the matter, clarified that the fee may be collected in accordance with G.O.Ms. No. 16, Education dated 16-01-1991 from the present batch of B.Ed. students of Government

IASEs/CTEs/University IASEs for the year 2000-01 and the enhanced fee rates may be implemented as per G.O.Ms. No.149 Education dated
08-11-2000 from the academic year 2001-2002 since the admissions for the year 2000-2001 have already been completed prior to the issue of the Government orders.

3. In view of the aforesaid memo, no further orders need be passed in the writ petition.

Hence, the writ petition is dismissed as having become infructuous. No order as to costs.

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N.V. RAMANA, J

June 20, 2005

MRR

Copy to. –

The Secretary, Education, (SETRG.I) Department, State of Andra Pradesh,

Secretariat, Hyderabad.
The Principal, Institute of Advance Study in Education, Masab Tank, New

NMDC, Hyderabad.

Two C.C. s to the G.P. for Higher Education, High Court of A.P.,

Hyderabad (OUT)

Two C.D. Copies.